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6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9
10 **UNITED STATES OF AMERICA,**) **No. 2:09 CR 00466 PMP LRL**
11)
12 Plaintiff,)
13) **GUDINO MOTION TO EXTEND**
14) **TIME TO FILE SUPPRESSION**
15) **MOTION**
16 **vs.**)
17)
18)
19 **MANUEL GUDINO-SIERRA et al.,**)
20)
21)
22 Defendant.)
23

24 **COMES NOW**, Defendant Manuel Gudino-Sierra (“Gudino”), by and through his
25 counsel, Charles E. Kelly, and hereby files this Motion for Leave to file his Motion to Suppress,
26 requesting Evidentiary Hearing. Gudino is seeking the suppression of his post-arrest statements
27 made on or about October 18, 2009, immediately following his arrest for drug trafficking
28 charges. Notwithstanding that this case has been pending for quite some time, the matter is not
set for trial until later this Spring. The undersigned Counsel was told by the Defendant that he
was going to hire new, private counsel; however, he has been unable to do so. Further, it does
not appear that the case is going to be negotiated; again, notwithstanding the efforts of all parties
having repeatedly attempted to do so. And lastly, Co-Defendant Luis Miguel Sagrero-Alba has

1 recently sought and obtained leave of Court to file a motion to suppress his post-arrest
2 statements.

3 Therefore, Defendant Gudino is asking the Court to grant him leave to file his Motion to
4 Suppress. Gudino's motion is premised upon the exact same facts, circumstances and witnesses
5 as that of his co-defendant. The motions could be heard in tandem and would cause no undue
6 delay. And to some extent, the hearing of such a motion may serve to facilitate a resolution of
7 the case short of trial.
8

9 It is submitted that the instant motion is in the interests of justice.

10 WHEREFORE, Defendant Gudino requests this Court grant him leave to file his Motion
11 to Suppress.
12

13 DATED this 30th day of January, 2010.
14

15 Respectfully Submitted by:

16 CHARLES E. KELLY, P.C.
17

18 By: /s/_____
19 Nevada Bar #4652
20 706 S. 8th Street
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23 IT IS SO ORDERED.
24



25
26 UNITED STATES MAGISTRATE JUDGE
27 DATED: 1-31-11
28